

DECLARATION IN LIEU OF OATH (37 C.F.R. § 1.68)

I, the undersigned, R. Lee Miller of Monterey, in the County of Monterey, State of California am the sole inventor of a new and useful IMPROVED GOLF CLUB GRIP (Application Nr. 10/783,011) and am the President and CEO of FEEL GOLF COMPANY, Inc. which is the assignee of all rights, title and interest in and to said invention, design, application, and Letters Patent to issue thereon, said assignation having been duly recorded by the Assignment Division of the United States Patent and Trademark Office on February 23, 2004 on Reel 015014/Frame 0761.

I, R. LEE MILLER, make the following declaration in lieu of oath pursuant to 37 C.F.R. § 1.68. The IMPROVED GOLF CLUB GRIP disclosed by Application Nr. 10/783,011 (hereinafter, the "Grip") has attained **significant commercial** success as evidenced by excellent performance reviews. I am convinced that this **commercial success** and the excellent performance reviews are due to the innovative features of the grip: the combination of the reverse taper and the reminder rib. These features were combined to give the golfer better control of his swing and thereby reduce or eliminate the tendency to "slice" the ball. This combination increases the moment of inertia (MOI) imparted to the golf club head. The combination increases gripping stability which reduces twisting of the golf

club head resulting in greater accuracy and distance. Further, a reverse taper grip without the rib or a rib on other than a reverse taper grip would not enhance performance to the extent realized by combining the two features.

I further believe that the following comments from extensive product reviews substantiate my belief as to the **commercial success** of the Grip:

Equip2Golf (which is the premier, independent facility for testing golf equipment; unlike other testing laboratories, Equip2Golf conducts independent testing...not sponsored by the manufacturer...so that the results are not biased by a corporate sponsor of the testing protocol.)

- (1) “With this patented TaperTip technology (i.e., the combination of the reverse taper and the reminder rib), the grip is intended to fit comfortably and naturally in one’s hands, thereby reducing the hand and wrist tension and increasing club control. The result is a proper release through impact.”
- (2) “At first glance, the grip looks basically like a traditional grip that has been installed upside down. Upon further inspection, we found that the patent pending design has a unique reverse taper profile(i.e., the combination of the reminder rib and the reverse taper) that is intended to work for any size fingers and hands and eliminate the need for build-up tape.”
- (3) “We found that the Full Release Grip really works. The grip feels comfortable...we found that the Full Release Grip allows the golfer to release the right hand at impact thus minimizing and even eliminating the slice. The reverse taper shape not only feels good but allows the hands to relax more through the swing and naturally release at impact.”
- (4) “The Full Release Grip is an innovative product that deserves a serious look. We believe this grip will appeal to golfers of all abilities that have a tendency to slice and block their release at impact. Continued use of the grip will assist in engraining the proper hand release producing improved performance.”

Japanese Testing Facility (Before a Japanese distributor such as Kanaloa will agree to sell a product such as the Grip in Japan, it will insist that the product undergo a rigorous testing procedure by a Japanese equipment testing facility. Although the testing protocol is protected under government trade secret laws, I know that the equipment to be tested is put through the paces by professional Japanese golfers, amateur golfers, and robotic testing machines. While the actual results are treated as confidential trade secrets, our Japanese distributor was able to obtain some general comments about the Grip from the Japanese testing facility).

- (1) "Hard to slice with strong hit."
- (2) "Even powerful swing result in no slice."
- (3) "Left hand may feel loose but hits strong and straight."
- (4) "Explosive hitting."

I have attached copies of the E-mail correspondence and the Internet web page that substantiates these comments from these satisfied customers.

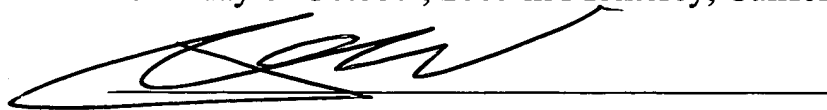
All of these reports recognize that the Grip is something innovative and that there is definitely a game-improvement quality to the Grip. I feel that these reports are attesting to the unique aspect of the Grip: the combination of the reverse taper and the reminder rib. I firmly believe that a testing facility such as

Equip2Golf is accurate and correct when it states that the Grip "is an innovative product." I further believe that the characterization of the Grip as "innovative" substantiates my assertion that the combination of the two features (the reverse taper and the reminder rib) is not an obvious step.

By supporting the **commercial success** of the Grip (i.e., reporting that the Grip does what it was designed to do), these test reports are confirming the non-obviousness of my invention. In short, if the combination of the two features was obvious, the global golf grip industry would have recognized the need for the combination and either it (the global golf grip industry) or some other independent inventor would have disclosed it before me so that these product testers would be praising his/her grip instead of mine.

I have been warned and I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of my patent application or any patent issuing thereon. Accordingly, all statements made in this declaration which are made of my own knowledge are true and all statements made in this declaration which are made on information and belief are believed by me to be true.

Declared this 5th day of October, 2005 in Monterey, California.

A handwritten signature in black ink, appearing to read "R. Lee Miller", is written over a horizontal line.

R. LEE MILLER

Summary

The Full Release grip from Feel Golf is an innovative product that deserves a serious look. We think that this grip will appeal to golfers of all abilities that have a tendency to slice and block their release at impact. Continued use of the Full Release grip will assist in engraining the proper hand release producing improved performance. Additional information on the Feel Golf Full Release grips and the entire line of golf equipment from Feel Golf can be found on their web site at www.feelwedgedes.com.



Additional information on our review methods can be found [here](#).

**Warren Small**

From: <RLMPHD@aol.com>
To: <wessmall@redshift.com>
Cc: <LowandLow@aol.com>
Sent: Monday, September 19, 2005 3:24 PM
Subject: Re: Test Report

In a message dated 11/25/2004 7:17:59 PM Pacific Standard Time, swdm11@yahoo.com writes:

this is after Japan tested for about 4 months with players of all types and skills and robotics...they had tried Sumitomo's grip also long ago...but ours as different as night and day

here the translation

Lee,
 Here is quickie partial translation of the report. I believe the test was conducted "Blind", the players were not shown the instructional video. All players are RD guys for a manufacturer with who Kanaloa is discussing the possible OEM. Please keep this confidential.

Wesley

test report

1 Test of Feel Golf Company Full Release Grip

2 Conclusion/Comments

- 1 Reverse taper feels "different". Take time getting used to it.
- 2 After continued usage, the feel is "Not Bad at all"
- 3 Several testers reported "explosive hitting"
- 4 Some testers say grip "feels thin in left hand"
- 5 Tend to slice, no hook<----- ?????
- 6 See graph for dimensions

Application pie chart based on tester opinion 83 wedge
 17 wood

Pictures of grip installed/graph shows measurements of grip installed on various shafts

4. tester comments

"hard to slice w/strong hit, But 'face' open up due to right hand"
 "even powerful swing result in no slice"
 "left hand may feel loose, But hits strong and straight"
 "hits strong, goes straight"
 "Iron feels uneasy, wood is better"

9/20/2005